

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64057 of 2023

Arising Out of PS. Case No.-149 Year-2023 Thana- RAJNAGAR District- Madhubani

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Madan Kumar Thakur S/O Late Jagdish Thakur R/O Village- Karhia, P.S- Raj
Nagar, Distt.- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Kumar Samarjeet Singh

For the Opposite Party/s : Mr.Dilip Kumar No. 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 272, 273, 414, 467, 468, 420, 473/34 of the Indian Penal Code and Section 30(a) of Bihar Prohibition of Excise Act.

3. It is a case of recovery of 761.4 litres of I.M.F.L. from a pickup van bearing Reg. No. BR-11GD-3356. Three persons were apprehended on the spot. Apprehended co-accused, Mithlesh Kumar @ Langri, disclosed the name of petitioner as one of his associates.



4. It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Neither the petitioner was apprehended on spot nor anything incriminating has been recovered from his conscious possession. His name sprang up in this case on the confessional statement of apprehended co-accused, Mithlesh Kumar @ Langri, who has already been granted bail vide order dated 02-08-2023, passed in Cr. Misc. No. 46964 of 2023 by the co-ordinate Bench of this Court. The petitioner has no concern either with the seized illicit liquor or with the pickup in question. Moreover, the petitioner is languishing in judicial custody since 11.08.2023. It is further submitted that similarly situated co-accused persons have been granted bail vide order dated 25-08-2023, passed in Cr. Misc. No. 52066 of 2023 by this Court. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.



5. Learned APP appearing for the State has vehemently opposed the prayer for Bail.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Rajnagar P.S. Case No. 149 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge II-cum-Special Judge Excise Act, Madhubani.

(Sunil Kumar Panwar, J)

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